

HOUSE BILL 2238

By Powell

AN ACT to amend Tennessee Code Annotated, Title 49,  
relative to K-12 education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-1-228(b), is amended by deleting the language "The department of education shall" and substituting instead the language "Subject to subsection (i), the department of education shall".

SECTION 2. Tennessee Code Annotated, Section 49-1-228, is amended by adding the following as a new subsection:

(i) Notwithstanding this section or another law to the contrary, an LEA or public charter school may elect not to receive a letter grade pursuant to this section for one (1) or more of its schools by notifying the commissioner of education, in writing, of the LEA's or public charter school's decision to opt out of the requirements of this section. Written notice of an LEA's or public charter school's decision to opt out of the requirements of this section must identify the schools and the respective school year for which the LEA or public charter school has elected not to receive a letter grade.

SECTION 3. Tennessee Code Annotated, Section 49-6-3115(a), is amended by deleting subdivision (3) and substituting instead the following:

(3) A student who is promoted to the fourth grade pursuant to subdivision (a)(2)(A)(v) or (a)(2)(B)(iv), and who does not show adequate growth on the fourth grade ELA portion of the TCAP test, as determined by the department, may be retained in the fourth grade if the student's LEA or public charter school determines that retention may benefit the student. A student shall not be retained in the fourth grade more than once.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.